IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 7787 of 2007(B)

PETITIONER:

ASHRAF, S/O. AVARAN HAJI,
CHATHANATHIL HOUSE, PUNNATHALA,
KURUVATHOOR, MALAPPURAM.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
MALAPPURAM.

2. THE REVENUE RECOVERY,
REVENUE DEPARTMENT, SECRETARIAT, TRIVANDRUM.

3. THE TAHSILDAR,
TIRUR.

BY GOVT.PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.7787 OF 2007-B

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Dated this the 8th day of March, 2007.

JUDGMENT

Having heard the learned counsel for the petitioner and the learned Government Pleader, I do not find any ground to interfere with the impugned proceedings initiated on the basis of final determination orders under the Kerala Motor Transport Workers' Welfare Fund Act and for arrears of motor vehicle tax. However, having regard to the fact that the residential building of the petitioner has been brought to distress action, it is directed that if the petitioner remits an amount of Rupees twenty thousand on or before the 15th March, 2007 and continues to remit at the rate of Rupees ten thousand per month payable on or before the 20th of every month commencing from April, 2007, the distress action will be held back. If there is default in remitting any of the instalments as aforesaid, the

benefit of this judgment shall stand recalled automatically and there will be a fresh auction without any further notice.

Sd/-
THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

-true copy-

P.S.to Judge.